

Remarks

Claims 10-12, 14, 15, 18, and 19 are currently pending in this application.

The Office Action rejected claims 10-12 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Beaujean et al. (U.S. Patent No. 5,505,875); rejected claims 10-12, 14, and 15 under 35 U.S.C. § 103(a) as being unpatentable over Brichard (U.S. Patent No. 4,421,669); and rejected claims 18 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Koyakumaru et al. (U.S. Patent No. 5,489,399). Applicant respectfully traverses the Section 103(a) rejections for the following reasons.

The Office Action readily admitted that Beaujean et al., Brichard, and Koyakumaru et al. fail to disclose or suggest coating a percarbonate (or carbonate) with stearic acid and the amount of stearic acid that is governed by the recited formula. However, the Office Action asserted that the claims are obvious because “a patent will not be granted based upon the optimization of result effective variables when the optimization is obtained through routine experimentation unless these is a showing of unexpected results which properly rebuts the *prima facie* case of obviousness.”

Applicant submits that the claimed formula ($m_c/(m_c + m_p) = c \cdot 1/r$) governing the amount of stearic acid applied to a percarbonate (or carbonate) particle provides unexpected results and is more than just “routine experimentation.” Fig. 1 of the present application provides an example of the unexpected results achieved with the claimed formula. Fig. 1 shows that when water contacts a percarbonate material compounded with 1.5 g stearic acid/100 g, in accordance with claimed formula, the pH value remains relatively constant for almost four hours. In contrast, the pH value of a percarbonate material that is not compounded with stearic acid increases almost instantaneously when exposed to water. This, unexpectedly, produces detergents having a stepped pH profile (as

shown in Fig. 1), permitting production of detergents where alkaline ingredients pass into the aqueous system at a later stage of the process and not at the beginning of the process (e.g., a wash cycle).

Furthermore, the prior art relied upon in the Office Action fail to contemplate the novel formula or the stepped pH profile of the present invention. For example, Beaujean et al. (col. 2, lines 13-19), Brichard (col. 2, lines 3-12), and Koyakumar et al. (col. 3, lines 54-58) are all concerned with providing storage-stable percarbonate (or carbonate) products, but are not concerned with providing a percarbonate (or carbonate) product with a stepped pH profile (which occurs with the claimed invention).

In light of the above, Applicant respectfully submits that Beaujean et al., Brichard, and Koyakumar et al., whether taken alone or in any reasonable combination, fail to disclose or suggest the invention recited in claims 10-12, 14, 15, 18, and 19. Applicant, therefore, requests reconsideration and withdrawal of the Section 103(a) rejections of these claims.

In view of the foregoing amendments and remarks, Applicant respectfully requests the reconsideration of this application and the timely allowance of the pending claims.

Application No. 09/718,943
Response dated August 26, 2004
Reply to Office Action of April 29, 2004

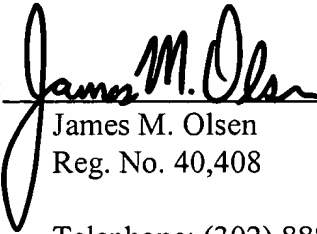
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 03-2775. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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